

The Regular Meeting of the Troy City Planning Commission was called to order by Chairman Chamberlain at 7:30 p.m. on Tuesday, August 14, 2001, in the Council Chambers of the Troy City Hall.

1. ROLL CALL

Present

Chamberlain
Littman
Pennington
Reece (7:34)
Starr
Storrs
Waller
Wright

Absent

Kramer (excused)

Also Present

Mark Miller, Interim Planning Director
Lori Bluhm, Acting City Attorney
Jordan Keoleian, Student Representative

2. July 24, 2001 Planning Commission Special / Study Meeting Minutes were approved with amendments.

Motion made by: Mr. Storrs

Seconded by: Mr. Starr

Yeas:

All Present (7)

Abstain:

Wright

RESOLUTION APPROVED

3. PUBLIC COMMENTS

No public comments

4. PUBLIC HEARING – PROPOSED REZONING (Z-671) – Boys and Girls Club of Troy, Southeast corner of Long Lake and John R. R-1C to B-2, Section 13

Mr. Miller stated that the Boys and Girls Club of Troy have submitted a rezoning request for their property and facility, which is 3.4 acres in size, located at the southeast corner of Long Lake and John R. Current zoning classification is R-1C One-Family Residential and the proposed zoning classification is B-2 Community Business. It should be noted that the application does not indicate a specific future use. An Environmental Impact Statement is required when a proposal is intended to enable a development with 50,000 square feet of floor area or greater. The petitioner submitted a schematic site plan with a building of approximately 11,000 square feet of floor area. Therefore, an Environmental Impact Statement is not required.

Mr. Miller continued, stating that a Special Use Request to establish the Boys and Girls Club of Troy at the subject property was granted by the Planning Commission on December 11, 1979. The club continues to operate at this location and is considered a principal use permitted in the proposed B-2 zoning classification.

Mr. Miller further stated that the adjacent land use include: a Seven-Eleven to the north; Bethel Baptist Church to the northwest; a CVS and a One-Family Residential to the west; the Gibson/Renshaw Drain to the east, and an acreage One-Family Residential further to the east, with the City of Troy's Fire/Police Training Center under construction to the south.

The adjacent zoning classifications include: B-3 to the north; C-F to the south; R-1C to the east; and R1C to the west; however, the CVS site is controlled by a consent judgment.

Mr. Miller continued, stating that the adjacent Master Land Use Plan designations include: Low Density Residential to the north; Low Density Residential to the south; Low Density Residential to the east; and Low Density Residential to the west. At the May 23, 2000 Planning Commission Meeting, a proposed Master Plan Amendment request from the petitioner was discussed and the amendment request was withdrawn (see enclosed correspondence and minutes). The subject property was also discussed during the Master Plan/Future Land Use Plan review and update agenda item on January 23, 2001 at Planning Commission Special /Study Meeting. The subject property was discussed in the context of the overall update of the Master Land Use Plan. The Planning Commission considered alternative land use directions for the southeast quadrant of Long Lake and John R. Consideration to amending the subject property to Community Facilities or Medium Density Residential was noted (see enclosed minutes). The Planning Commission is currently in the process of amending the Master Plan/Future Land Use Plan. The draft amendment for this area is designated Community Facilities.

Finally, Mr. Miller stated that based upon the Planning Commission's active update and amendment process of the current Master Land Use Plan and speculative nature of the subject rezoning request, the Planning Department recommends the Planning Commission postpone the request until the Future Land Use Plan is approved by the City.

Mr. Chamberlain asked if the petitioner was present. Petitioner came forward and signed in.

Mr. Waller commented that he once served on the Board of the Boys & Girls Club; however, he currently no longer serves on that Board.

Francis Kotcher, petitioner, commented that he has been a long time board member in good standing of the Boys and Girls Club of Troy, and that he was representing the Boys and Girls Club of Troy as well as Mr. David Verbeke. He stated that the Boys and Girls Club of Troy is a youth development club and a non-profit charitable organization and they have served in excess of 700 members and 20,000 visitors annually. He further stated that no one at the Boys and Girls Club of Troy gets rich and that a few years ago the Club tried to coordinate with City Management a shared facility which would replace the current dilapidated building. However, the coordinated plans fell through. He further stated that the Club would be proud to serve the City of Troy. Mr. Kotcher also stated that he felt that the site is not a desirable residential site for a variety of reasons, with one being that it is one of Troy's busiest intersections and that there are flood plain problems. The Club also feels that a postponement would hinder the Club's efforts and would serve no useful purpose.

Mr. Littman asked the Petitioner why the Club requested B-2 zoning?

Mr. Kotcher stated that through no fault of theirs, the subject property is surrounded by commercial uses. It is in the Club's best interest to see that they get the best value from the property. It would lose value as a single-family zoning classification.

Mr. Starr asked if church groups were sought.

Mr. Kotcher said there were a few inquiries, but no interest.

Mr. Storrs asked the petitioner if they considered condominiums.

Mr. Kotcher answered no, they did not actively market the property for condominiums.

Mr. Stephan Toth, a representative of the Club, said there was an inquiry for condominiums; however, they were interested in putting 30 units per acre on the property.

PUBLIC HEARING OPEN AND CLOSED

Mr. Waller asked for clarification of the flood plain maps provided.

Mr. Miller stated the AE100 flood plain and the floodway are regulated areas by the City and FEMA. The Floodway is severely restricted on the potential development.

Mr. Chamberlain stated that a joint Boys and Girls Club and Police/Fire Training Center should be considered.

Moved by: Waller

Seconded by: Wright

RESOLVED, that the Planning Commission hereby recommends to City Council that the request for the R-1C to B-2 rezoning of a 3.4 acre parcel at the southeast corner of Long Lake Road and John R Road be granted, and further, City Staff explore a joint use with the Police and Fire Training Center.

Yeas: Reece

Nays: Storrs

Absent: Kramer

Starr

Chamberlain

Littman

Pennington

Wright

Waller

RESOLUTION APPROVED

Mr. Chamberlain stated he voted against the resolution as he felt it can be used as R-1T and the City does not need anymore commercial properties.

Mr. Storrs stated he voted against the resolution based on the reasons stated by Mr. Chamberlain and he believes the drain could become an amenity for a residential condominium development.

Mr. Waller stated that the Planning Commission, as a body, feels that the City Staff should take a long and hard look at a method of having a joint use for some portion of the Fire and Police Training Center, which would be realized by having the Boys and Girls Club building occur on the south side of the property leaving the north side open for an outdoor recreation area.

Mr. Starr questioned about the policy of the flood plain on the property. He added that much of the subject property is within the flood plain.

Mr. Littman questioned what is the proper zoning for the CVS; to the west of the rezoning request.

Mr. Chamberlain and Mr. Miller both commented it would require B-2 for the drive-through pharmacy window.

Mr. Chamberlain stated that a recommendation to rezone the subject property to B-2 will be sent to City Council. It will also include recommendation to help the youth group club build on the property in conjunction with the Police and Fire Training Center. The City just does not need any more commercially zoned properties.

5. PUBLIC HEARING – SPECIAL USE REQUEST (SU-310) – Tutor Time Day Care, North of Big Beaver Road, West of Crooks Road – Section 20

Mr. Miller stated that a Special Use Request has been submitted for a Tutor Time Day Care facility, with approximately 11,000 square feet of building, on 1.53 acres of land, at the southwest corner of Crooks Road and Banmoor Avenue. The subject property is within the R-1B Zoning District, which permits child care centers and nursery schools subject to Special Use Approval. There are three conditions required to authorize the granting of the Special Use Approval. The first being the required 28,430 square feet of outdoor play area. The play area shall be visually screened from the residential property to the west and north in a manner acceptable to the Planning Commission. Second, the location of the childcare center be at the exterior of a block and adjacent to an office zoning district. Third, that the childcare center serve as a transitional use between non-residential and residential development and thus reflects the architectural character of the residential area.

To the north and east of the subject property is the Muer's Garden Farms Subdivision, which is developed, and has a zoning classification of One-Family Residential. Abutting the subject property to the south is the Wilshire Plaza West office development. Across Crooks Road to the east, there is a One-Family Residential subdivision and zoning classification. It appears the proposed development serves as a transitional land use between the existing office development to the south and One-Family Residential to the north. Access to the proposed facility is a driveway at the southern end of the subject property to Crooks Road.

Mr. Miller stated that the Planning Commission should determine an appropriate visual screen area to the west and north of Banmoor. Petitioner needs to demonstrate what method of visual screening they are proposing.

Mr. Chamberlain stated that regarding screening, he would be in favor of a landscape buffer bordering the north and west side with screening that we normally put on our entrance ways with a plan approved by the Parks and Recreation Department.

Mr. Miller asked if the screen should include a berm.

Mr. Chamberlain replied that he doesn't know what would work.

Mr. Storrs asked if they are required to provide a sidewalk on Banmoor.

Mr. Miller answered that the site plan shows a sidewalk.

Mr. Cavaliere addressed the Planning Commission and asked if there were any questions concerning the project. There were no questions asked. He stated that there are a large quantity of trees on the west border and along Banmoor Avenue.

Mr. Chamberlain stated that the site plan should try to provide a visual screen for the residential areas.

Mr. Cavaliere stated the plan is calling for 12 trees and they are trying to save some of the existing trees.

Mr. Chamberlain stated that in looking at the site, there are willows that will probably be removed.

Ms. Bluhm stated that willows may not be permitted to remain on the site.

Mr. Chamberlain stated that the existing trees will not provide visual screening.

PUBLIC HEARING OPENED

Barry Minster, 3365 Crooks, would like to review the plan.

Mr. Chamberlain stated that the Planning Commission is going to vote tonight as to whether to approve or disapprove Special Use Request and site plan.

Mr. Storrs commented regarding seeing the chain link fence and felt Mr. Chamberlain's idea to provide screening with some plantings, was better than a solid wall.

Linda Minster, 3365, Crooks, Troy, MI, stated that one of her major concerns was the neighbor to the west of the subject property, who has been a resident for over sixty years. Concern was demonstrated on being totally exposed for the neighbor and Minster house if all the existing trees are removed.

Mr. Wright stated that 188 children could attend this day care facility, which is about a third of the size of Troy elementary schools.

Mr. Barry Minster asked if the request changes his zoning classification.

Mr. Chamberlain answered no, the zoning will not change.

Mr. Robert Guldi, 1454 Banmoor, commented on his concerns for traffic, and stated a fatal accident had just recently occurred near this location. He is not in favor of this request.

PUBLIC HEARING CLOSED

Mr. Littman asked Mr. Cavaliere if this whole plan could be rotated and located on the south side of the property.

Mr. Cavaliere stated the plan was already revised once because of the play area.

Mr. Chamberlain suggested moving the building north.

Mr. Cavaliere asked where the parking would be located.

Mr. Wright stated that parking would remain the same.

Mr. Waller commented on moving the building north to the 45 feet setback line.

Mr. Cavaliere stated there was no problem moving the building to the north.

Mr. Chamberlain stated that the north and west boundaries require a visual and sound buffer and asked Mr. Cavaliere if he was open to providing this buffer.

Mr. Cavaliere stated there are 12 trees north of the property line. A tree every 20 feet basically and he would have no problem with a tree every 15 feet. Mixing and matching types of trees is not a problem.

Mr. Chamberlain stated that the developer doesn't understand. This may have to be tabled to determine the screening requirements. This will give the petitioner some time to meet with Mark Miller and Parks and Recreation Department. He stated the item should be tabled so the petitioner can get with the proper City Staff.

Mr. Wright stated he agrees with Mr. Chamberlain and that the petitioner should look at putting in a berm and some evergreens on top of the berm. The buffer should both screen visually while providing a reduction in noise.

Mr. Cavaliere said his firm is the builder and the owner. He is willing to provide a landscape plan that meets the needs of the Planning Commission.

Mr. Cavaliere further stated that this facility is closed at 5:00 p.m. and is not open on weekends. Everyone does not arrive at the same time. There would be no

influx of traffic arriving all at the same time. He agrees with Mr. Littman regarding moving the building to the north. It would even things out. The berm and landscaping also poses no problems.

Mr. Waller explained to Mr. Cavaliere about Parks and Recreation involvement in this process.

Mr. Waller asked if BZA action is required if a berm is not provided.

Mr. Miller answered no, the Planning Commission has the discretion to determine the appropriate visual barrier.

Mr. Waller commented that evergreens on top of a berm of approximately five or six feet high on the west boundary may be needed.

Mr. Chamberlain stated that a lesson from the Tadium property was that evergreens have to be spaced appropriately. He further stated that the developer will have to sit down with City Staff and get this thing designed right.

Mr. Storrs commented that he doesn't believe a berm is needed along Banmoor, but a berm is needed along the west side with landscaping.

Mr. Waller commented that a berm is necessary.

Mr. Chamberlain made the statement that Parks and Recreation should handle the specific design.

Moved by: Waller

Seconded by: Wright

RESOLVED, that the Special Use Approval, as requested for the Tutor Time Day Care facility on a 1.53 acre R-1B zoned site, located on the southwest corner of Crooks Road and Banmoor Avenue be tabled for two weeks to the August 28, 2001, Special/Study meeting, to allow the petitioner time to design an appropriate visual buffer with input from City Staff.

Mr. Storrs clarified that a berm is not needed on Banmoor and the landscape buffers should be a living screen.

Mr. Waller stated the petitioner should investigate with City Staff the necessary design to get the screening done

Yeas:

All Present (8)

Absent:

Kramer

RESOLUTION APPROVED

6. PUBLIC HEARING – SPECIAL USE REQUEST (SU-179) – Christian Leadership Academy, North of Big Beaver, East side of Livernois, Section 22

Mr. Miller stated that The Christian Leadership Ministries, Inc., doing business as the Christian Leadership Academy is proposing a private school for approximately 135 students. Within the existing Zion Christian Church, the Academy will be utilizing a portion of the main worship building and all of the accessory school building for the private school. Subject property is approximately a 34 acre R-1C zoned site located north of Big Beaver Road and on the east side of Livernois Road.

Further, Mr. Miller stated that in 1981, the Planning Commission granted a Special Use Approval for the Zion Evangelistic Temple's church and school complex and subsequently the Site Plan was revised in 1982. Then in 1999 the Planning Commission granted a Special Use Request for a daycare center within the existing church, including an outdoor play area.

Within the R-1C zoning classification private schools are permitted subject to Special Use Approval and specific conditions. All of these Special Use conditions and all other Zoning Ordinance requirements have been met by the proposed Christian Leadership Academy, although there are some questions that need to be discussed. City of Troy's Development Standards require deceleration lanes for the proposed development; however, there is an agreement between the Church and City that may have waived this requirement. Ms. Lori Bluhm, Acting City Attorney, will be able to address this issue.

Ms. Bluhm stated that we must follow the 1986 Agreement that waives the requirements of such road improvements.

Mr. Miller stated that there are two dumpster areas on the site but are not included on the site plan. The plan also provides the sidewalk connection to a portion of the interior sidewalk. Site inspection noted that there are unprotected fire hydrants within the parking area. There is an existing five foot sidewalk in the right-of-way.

Ms. Bluhm commented on the agreement, stating that when the City widened Livernois Road, an agreement was executed regarding deceleration lanes. Based on the 1996 opinion by City Management, we cannot require acceleration and deceleration lanes.

Mr. Patrick Karbowski, attorney for Christian Leadership Academy, stated that as a parent of some of the children in the school, they certainly welcome the opportunity to come to Troy and serve your constituents and community with the small private school of approximately 150 students. Our plans are to remain small.

He said that some of the comments from the Planning Department review are new, but, they want to be good citizens of Troy. As long as they are not cost prohibitive, they will do whatever improvements are required. Regarding the deceleration lane agreement from the mid 80's, deceleration lanes should be waived. Regarding the trees within the greenbelt, there are currently 42 trees, with 58 required. The school will plant the balance. He commented on the interior sidewalk, that as far as he could tell, it was never required by the City. The school doesn't have foot traffic. If it is acceptable to the Planning Commission, so they could occupy the building, and the school could be required a reasonable time to complete all of the items within a reasonable time frame. The school will post a bond if required by the City.

Mr. Chamberlain asked Mr. Miller regarding the number of garbage dumpsters present.

Mr. Miller stated there were three at two locations and that they were not appropriately screened on three sides.

Mr. Chamberlain asked whether the parking was self sufficient.

Mr. Miller said it exceeds the parking lot requirements.

Mr. Chamberlain asked Mr. Karbowski if they want to cut into the greenbelt area for the sidewalk.

Mr. Karbowski stated that obviously, the school did not and would also like to avoid the expense. It makes sense to leave greenbelt intact.

Mr. Chamberlain stated that the City is trying to make a more walkable community. In addition, in the future you might have foot traffic to the school and the church.

Mr. Karbowski stated we would like to help you accomplish the City's goals.

PUBLIC HEARING OPENED

Patricia D'Amico, 2593 Ramsbury, stated that she has been a resident of Troy for 15 years and has two children attending the school. Expressed that the Academy's members were extremely respectful.

Patricia Blankenship, 311 Colebrook, stated that her son attended the Zion Church and graduated from the Christian Leadership Academy. The moral fiber of the children is excellent. She was very much in favor of the Academy coming to this location. She further commented on sidewalks, stating there isn't much foot traffic. She wouldn't be extremely excited about cutting through the berm, as

it is a lovely amenity to the facility. She hopes the Planning Commission approves the request.

Jim Blankenship, 311 Colebrook, commented that there is a transition regarding the dumpsters and stated the church has just switched refuse companies and that there are currently only two dumpsters.

PUBLIC HEARING CLOSED

Mr. Chamberlain stated that a Special Use Request for the school is approvable, but the site plan needs some tidying up regarding dumpsters, sidewalks, and trees.

Mr. Storrs commented why the outdoor play area isn't located on the site plan.

Mr. Chamberlain stated we already approved that.

Mr. Storrs asked if we could go ahead with the school using only Special Use Approval.

Ms. Bluhm stated it is preferable to provide both approvals, however, both can be approved separate. Further, she recommended that the school not be held up.

Mr. Waller asked if some day in the future does the City have the ability to force Walsh College or others to put in sidewalks?

Ms. Bluhm stated that waivers are already probably approved.

Mr. Chamberlain commented that a lot of these big facilities come along and don't install sidewalks. The City should complete these sidewalks.

Mr. Wright stated that he thinks Walsh College already has a sidewalk.

Mr. Chamberlain stated regardless, that is what has been happening in the past.
Moved by: Storrs Seconded by: Pennington

RESOLVED, that Special Use Approval, as requested, for the Christian Leadership Academy private school, within the existing Zion Christian Church buildings on a 33.73 acre R-1C zoned site, located north of Big Beaver Road and on the east side of Livernois Road is hereby granted in accordance with Section 10.30.02 of Zoning Ordinance.

Yeas:

All Present (8)

Absent:

Kramer

RESOLUTION APPROVED

Moved by: Storrs

Seconded by: Pennington

RESOLVED, that Preliminary Site Plan Approval, as requested for the Christian Leadership Academy private school, within the existing Zion Christian Church buildings, on a 33.73 acre R-1C zoned site, located north of Big Beaver Road and on the east side of Livernois Road, be tabled for two weeks, at the Special/Study Meeting scheduled August 28, 2001, so that the Site Plan shows all of the previously approved and required elements including trees, sidewalks, correct fire hydrants, bonds.

Mr. Chamberlain stated to the petitioner that he needs to get with Mark Miller and figure out what he needs to do to get Site Plan approval.

Mr. Walled asked why does the school need to get a bond.

Ms. Bluhm stated it is a letter of credit or bond and it is returned upon completion

Yeas:
All Present

Absent:
Kramer

RESOLUTION APPROVED

7. SITE PLAN REVIEW (SP-813) – Proposed Regents Park of Troy (Phase II), North Side of Butterfield, West of Crooks, Section 29

Mr. Miller stated that the Village Green Companies are proposing a second phase to the Regents Park of Troy apartments, located on the north side of Butterfield Road, west of Crooks Road. Phase II includes a 3 acre, RM-2 (Multiple Family Mid-Rise) zoned area, which will be combined with the 18 acre Phase I site. There are two buildings and a detention basin proposed, with 58 units, that are 3 to 4 residential stories constructed over a parking story, which constitute a 5 story building for Zoning purposes. Combined Phases I and II have 17 dwelling units per acre and do not exceed maximum unit density prescribed in Section 16.70.01 of the Zoning Ordinance. Access will be provided off of Butterfield Street, utilizing an existing driveway within Phase I and an interior loop drive providing access around the proposed buildings. Building Code Board of Appeals action will be necessary to allow the proposed fencing in the front yard setback along Butterfield Street which is similar to Phase I. Proposed Preliminary Site Plan conforms to the requirements of the Zoning Ordinance, therefore the Planning Department recommends approval of Regents Park of Troy (Phase II).

Mr. Miller further stated that in Phase II, a retaining wall will screen some of the dumpster staging areas. As is the practice in Phase I, the dumpsters are stored inside the buildings and wheeled outside to the staging area for emptying.

Mr. Starr asked what is the maximum density.

Mr. Miller stated 17 units per acre, and the Phase II, three acre site will have to be combined with Phase I to meet the density requirements.

Mr. Storrs stated our action is to approve an amendment to the original Site Plan, so we should have one Site Plan.

Mr. Miller stated it is a revised plan. We are considering it to be one proposal and tie the projects together with one motion.

Ms. Jennifer Green of the Village Green Companies, commented that the dumpster situation is the same as Phase I. This utilizes temporary staging areas with the dumpsters contained within the buildings. There is a trash room located in each building; the dumpsters are pulled out and then moved back into the buildings. Because they will be completing the first phase within 30 days, and the continued success with Phase I, Phase II is proposed. The layout and landscaping is consistent with Phase I and the two phases become one development.

Mr. Reece asked about the land area between Phase II and Todd Street. What is the lot of exception.

Ms. Green stated that lots 30, 31, 32, are included in Phase I. Lot 33 is zoned P-1 parking. Lot 34 is zoned single family.

Mr. Reece asked if they would develop the area west of the subject property.

Ms. Green stated they could not, and during the rezoning, they demonstrated that the corner lot could be developed as office.

Moved by: Storrs

Seconded by: Wright

RESOLVED, that Preliminary Site Plan Approval, as requested for the Regents Park of Troy (Phase II), on a 21 acre RM-1 zoned site, located on the north side of Butterfield Street and west of Crooks Road, is hereby granted, subject to the following condition:

1. If permanent outside dumpsters are proposed, the Planning Commission retains the authority to approve the location, and the Screening method.

Yeas:

All Present (8)

Absent:

Kramer

RESOLUTION APPROVED

8. SITE PLAN REVIEW / REVISED (SP-306) – St. Petka Vratnica Serbian Orthodox Church, Revised Site Plan, North of Wattles Road and West of John R Road, (Section 13)

Mr. Miller stated that on February 13, 2001 the Planning Commission granted a modified Special Use Approval and Preliminary Site Plan Approval for the St. Petka Church including a joint drive with Athens High School. Subsequently, on May 08, 2001 the Planning Commission granted a revised Preliminary Site Plan Approval. The minutes from all the Planning Commission meetings related to subject property and St. Petka were enclosed for detailed information purposes. In addition, the Planning Department prepared a summary of the development process for all three of St. Petka's proposed locations.

Mr. Milled added that St. Petka's architect submitted an application to eliminate the joint drive with Athens High School. This initial submittal eliminated the City parcel of land. These two revisions would have required a Special Use Request public hearing. This was reported to the Planning Commission at the July Study Meeting. Shortly after the Study Meeting site plans were submitted that included the joint driveway and the City parcel of land. The Planning Department then cancelled the scheduled public hearing, considering the most recent proposed revised Preliminary Site Plan request.

Mr. Miller stated that the revised proposal is substantially similar to the approved site plan, including a 7.02 acre R-1B zoned property. Ingress/egress will continue with the joint driveway aligned with Victoria Drive and the approved traffic light for the intersection. The proposed revised site plan provides for a shallow sloped stormwater detention basin that will remain part of the subject property. This basin is somewhat larger than normal due to the higher elevation of the outlet at Wattles Road. This detention area then displaced 71 parking spaces to east of the proposed buildings and near the church entrance driveway. All Zoning Ordinance requirements have been met by the proposed revised Preliminary Site Plan. However, the Planning Department Staff requested the petitioner to revise the church's entrance drive area, though the site plan was not revised to reflect this change. Staff's proposal is enclosed for your review. It is staff opinion that the revised drive will create a safer intersection with the joint driveway and provide a better stacking area for cars exiting the church. It should be noted that Natural Features Map indicates the possibility of wetlands on the subject property. The City does not have any requirements for submittal of

wetland determination for this type of development. Staff will have to insure that the appropriate wetlands permit or letter of no authority is issued before granting Final Site Plan Approval. Planning Department staff recommends approval of the revised Preliminary Site Plan with either intersection.

Mr. Waller asked if the Planning Commission has the ability to require MDEQ permits.

Ms. Bluhm stated that the petitioner is responsible to determine if a permit is required, then secure a permit if necessary.

Mr. Constantine Pappas, architect for the petitioners, commented that they prefer the driveway as submitted by his firm.

Mr. Chamberlain asked when is construction going to start.

Mr. Pappas stated fall of 2001.

Moved by: Pennington

Seconded by: Wright

RESOLVED, that revised Preliminary Site Plan Approval, as requested for the St. Petka Vratnica Serbian Orthodox Church, on a 7.02 acre R-1B zoned site, located north of Wattles Road and West of John R Road, is hereby granted.

Yeas:

All Present (8)

Absent:

Kramer

RESOLUTION APPROVED

SECOND RESOLUTION FOR CONDITIONS

Moved by: Waller

Seconded by: Wright

RESOLVED, to amend the Revised Preliminary Site Plan Approval with the following condition and is hereby amended to be subject to the following condition:

1. Any site plan revisions shall be approved by the Planning Commission.

Yeas:

All Present (8)

Absent:

Kramer

RESOLUTION APPROVED

9. DISCUSSION OF WETLANDS AND NATURAL FEATURES ORDINANCES
PUBLIC HEARING DATES

Mr. Miller stated that City Management is requesting that the Planning Commission schedule two public hearing dates in late September and early October. A public hearing is proposed for developed landowners and a second hearing for vacant landowners. The developed landowners are affected by the ordinances substantially less than vacant landowners. The Engineering Department is working on letter of notification that requests return notice of those owners interested in attending the public hearings. A Draft letter was provided at the meeting.

Mr. Chamberlain asked Ms. Bluhm if the Planning Commission is required to hold a public hearing. There are over 3,000 parcels and 4,000 to 6,000 people potentially could attend the public hearing. Is it fair to hold two hearings; one with the Planning Commission and one with City Council. Is the Planning Commission required to conduct a public hearing.

Ms. Bluhm stated that a public hearing shall be held, but the Planning Commission is not required to conduct the public hearing. The notification of affected property owners is required. The notice to each individual person is to let them know a map is being created. This is required to occur before the effective date of the map and ordinance.

Mr. Chamberlain asked who approves the Natural Features Map.

Ms. Bluhm stated that City Council should approve the map.

Mr. Miller stated the Natural Features Map is not part of the Zoning Ordinance, therefore, there is no required recommendation process for the Planning Commission.

Ms. Bluhm stated that it is important that the Planning Commission has input into the development of the Map and Ordinances.

Mr. Chamberlain commented that he would like the Planning Commission to set a target date to send recommendations to City Council. In addition, the Planning Commission needs the Natural Features Map for the Future Land Use Plan.

Mr. Miller stated that there is a draft map available.

Ms. Pennington stated she sees no problem with the Planning Commission not conducting public hearings.

Mr. Littman stated that if City Council conducts public hearings, the Planning Commission does not need to conduct them also.

Mr. Wright agrees with Mr. Littman.

Mr. Waller stated he concurs that City Council should conduct a single public hearing. He asked if there is a requirement for the letter notifying affected property owners. He further asked when are we going to receive the final map.

Mr. Starr stated the Planning Commission should send comments and recommendations to City Council. He said two public hearings are not necessary. City Staff needs to determine a graceful way to hold the public hearing. There is no use aggravating people twice over the same issue.

Mr. Reece stated that our responsibility is to provide a complete package that includes the Map and revised text.

Mr. Keoleian stated we should complete a full review before sending it to City Council.

Mr. Waller asked if it would be appropriate for the Planning Commission and Mark Miller to make a list of what has to get finished. The Planning Commission is of the opinion that reducing the number of public hearings is helpful to Troy residents.

Mr. Chamberlain stated that major milestones should be identified that will be released to City Council with the understanding that the Future Land Use Plan is a piece of the overall framework including Land Use and Natural Features.

Mr. Miller summarized that without a resolution, the Planning Commission's consensus is that for the good of the City of Troy and its' residents, there should be one public hearing, at the City Council for the Natural Features and Wetlands Map and text.

Mr. Chamberlain stated we want to send comments to City Council once we see the Final Natural Features Map.

Ms. Bluhm asked if the Planning Commission wanted City Council to approve the map first.

Mr. Chamberlain answered no.

Mr. Chamberlain further stated that the Planning Commission wants one package making comments on the text and map.

Mr. Chamberlain stated the Planning Commission needs to look at Special Use Approval requirements. One example cited was automotive repair, both B-3 and M-1 require Special Use Approval. Why are we doing this, he asked.

RESOLUTION to excuse Mr. Dennis Kramer from this Special Study Meeting.

Moved by: Starr

Seconded by: Storrs

Yeas:

Absent:

All Present (8)

Kramer

RESOLUTION APPROVED

The meeting was adjourned at 9:45 PM

Respectfully submitted,

Mark F. Miller
Interim Planning Director